

Docket No. 0756-2203

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 2815
SHUNPEI YAMAZAKI)	Examiner: J. Jackson, Jr.
Serial No.: (NOT YET ASSIGNED))	
Filed: September 5, 2000)	
For: ELECTO-OPTICAL DEVICE AND)	
METHOD FOR MANUFACTURING)	
THE SAME)	Date: September 5, 2000

PETITION UNDER 37 C.F.R. §1.53(e)

Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicant hereby petitions to convert the Continued Prosecution Application (CPA) filed under 37 C.F.R. §1.53(d) for U.S. Application No. 08/962,601 to an application under 37 C.F.R. §1.53(b). A copy of the Decision on the Petition filed in Application No. 08/962,601 as well as the applicable petition fee are submitted herewith.

Applicant respectfully requests assignment of an application serial number and the forwarding of this continuation application to the Examining Division for examination on the merits of the application.

The Commissioner is hereby authorized to charge any fees which may be further

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09/06/2000 LGTBBS 00000005 09563087
01 FC:101 690.00
02 FC:102 858.00
03 FC:104 260.00
04 FC:103 2916.00
Repl'n. Ref: 09/06/2000 LGTBBS 0010220800
DR# 192380 Name/Number: 09563087
FC: 704 \$130.00 CR

Docket No. 0756-2203

required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 19-2380 (0756-2203). A duplicate of this sheet is attached.

Respectfully submitted,

NIXON PEABODY LLP



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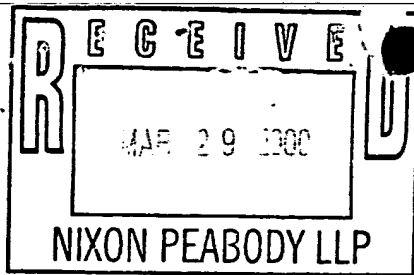
EJR/BCO/pdc

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Paper No. 22

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In re Application of
Shunpei Yamazaki
Application No. 08/962,601
Filed: October 31, 1997
Attorney Docket No. 0756-1711

ON PETITION

This is a decision on the petition, filed February 1, 2000, under 37 CFR 1.313(b) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED** as moot.

Unfortunately, the petition reached the appropriate official for decision after the patent issued on the above-identified application.¹ Any inconvenience is regretted.

The information disclosure statement (IDS) has been placed in the file of the above-identified application without further consideration. See 37 CFR 1.97(i).

Petitioner may wish to file a petition under 37 CFR 1.53(e) to convert the continued prosecution application (CPA) under 37 CFR 1.53(d) deposited with the instant petition from a CPA under 37 CFR 1.53(d) to an application under 37 CFR 1.53(b) to obtain consideration of the IDS in the resulting application under 37 CFR 1.53(b). 3-30-00 P92

Should petitioner choose this course of action, petitioner should include a copy of this decision with the petition under 37 CFR 1.53(e). The examiner is to make all applicable prior art rejections (not just include a statutory double patenting

¹ The instant petition was delivered to Technology Center 2800 rather than to the Office of Petitions, the appropriate deciding official on petitions to withdraw from issue after payment of the issue fee.

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rejection under 35 U.S.C. § 101) based upon the information cited in the IDS, alone or with other information of record, in the resulting application under 37 CFR 1.53(b).

The filing fees totaling \$4,488 will be refunded to Deposit Account No. 19-2380.

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

The file of the above-identified application is being returned to Files Repository.


Frances Hicks

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

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